

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

BENTLEY HEALTHCARE, LLC

PLAINTIFF

v.

Case No. 4:20-cv-4064

ZURICH AMERICAN INSURANCE CO.

DEFENDANT

ORDER

Before the Court is the parties Joint Motion to Dismiss. ECF No. 28. The parties ask that the Court dismiss this matter with prejudice.

An action may be dismissed by “a stipulation of dismissal signed by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(ii). “Caselaw concerning stipulated dismissals under Rule 41(a)(1)(A)(ii) is clear that the entry of such a stipulation of dismissal is effective automatically and does not require judicial approval.” *Gardiner v. A.H. Robins Co.*, 747 F.2d 1180, 1189 (8th Cir. 1984). Thus, Plaintiff’s claims against Defendant were effectively dismissed when the parties filed the instant joint motion requesting that this matter be dismissed. However, this order issues for the purpose of maintaining the Court’s docket.

This instant motion (ECF No. 28) is hereby **GRANTED** and this matter is hereby **DISMISSED WITH PREJUDICE**. If any party desires that the terms of any settlement be a part of the record therein, those terms should be reduced to writing and filed with the Court within thirty (30) days of the entry of this judgment. The Court retains jurisdiction to vacate this order upon cause shown that any such settlement has not been completed and further litigation is necessary.

IT IS SO ORDERED, this 17th day of August, 2022.

/s/ Susan O. Hickey
Susan O. Hickey
Chief United States District Judge